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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,040	12/12/2000	Harri Tapani Vilander	2380-198	3501

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EXAMINER	
BARQADLE, YASIN M	
ART UNIT	**PAPER NUMBER**
2153	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/734,040	VILANDER ET AL.	
	Examiner	Art Unit	
	Yasin M. Barqadle	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 December 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *41-47,49-50 and 56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *41-47,49-50 and 56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ :
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 15, 2006 has been entered.

Response to Amendment

2. The amendment filed on December 15, 2006 has been fully considered but are moot in view of the new grounds of rejection.

- Claims 1-40,48,51-55 and 57-58 have been previously cancleled.
- Claims 41-47,49-50 and 56 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 41-47,49-50 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subbiah et al USPN (6366961) in view of Forslow USPN (20030039237).

As per 41,47 and 50, Subbiah et al teach a telecommunications system having a protocol architecture over an interface between nodes of the telecommunications system (Fig. 1), wherein for a connection with a user equipment unit (Figs. 1 and 5) a protocol stack of the protocol architecture in the transport network layer comprises:

the link layer protocol; the Internet Protocol on top of the link layer protocol; UDP Protocol on top of the Internet Protocol; and RTP protocol on top of the UDP protocol [See fig. 4]; and

wherein the Internet Protocol, the UDP Protocol, and the RTP protocol are utilized in lieu of Asynchronous Transfer Mode (ATM) and ATM adaptation layer 2 (AAL2) "ATM Adaptation layer 2 (AAL2), a multiplexing scheme at the ATM cell level, has been standardized by the International Telecommunications Union-

Telecommunications Standardization Sector (ITU-T) to carry compressed speech in an ATM environment. The main problem in transporting the small packets in a regular RTP based IP telephony model is the large amount of overhead due to RTP/UDP/IP headers (col. 1, lines 51 to col. 2, lines 5; col. 45-67 and col. 6, lines 47-61). This implies that Subbiah uses an improved method of using RTP/UDP/IP instead of ATM and Aal2); wherein the interfaces having the protocol architecture is between a radio network and a core network, and carries circuit switched connections (see figs 1 and 5); and wherein in the RTP Protocol one synchronization source (SSRC) identifier is allocated to each circuit switched connection between the node in the radio access network and the node in the core network ["The present invention provides a signaling scheme that establishes a connection between the source and destination node, wherein channels at each intermediate node are associated for a single end-to-end connection. This enables demultiplexing and multiplexing mini packets at intermediate nodes in a RAN and CN." Col. 3, lines 26-32 and Figs. 1,5 and 7. See col. 5, lines 5-45].

Although Subbiah shows substantial features of the claimed invention including an interface to a circuit switched communication of PSTN/GSM, he does not explicitly show where a

connection is carried as circuit switched connection over a radio interface between the user equipment and the radio access network.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Subbiah, as evidenced by Forslow USPN. (20030039237).

In analogous art, Forslow whose invention is common access between a mobile communications network and an external network with selectable packet-switched and circuit-switched service discloses carrying a connection as circuit switched connection over a radio interface between user equipment and a radio access network. "Mobile station 102 is connected (via a circuit-switched and/or packet-switched bearer) over the radio interface to a base station subsystem (BSS) 108." (¶ 0075), "the present invention provides a bearer selection and quality of service parameter mapping layer which selects for each application flow at the IP layer the best suited one of a circuit-switched bearer and a packet-switched bearer." (¶ 0067 and ¶ 0064. See also fig. 6-7 and 9). Giving the teaching of Forslow, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Subbiah by employing the system of Forslow so that packet-switched type information can be

transferred over existing circuit-switched bearer even if that information is more suitable for transfer over a packet-switched type bearer.

As per claim 42, Subbiah et al teach the system of claim 41, wherein the Internet Protocol is immediately above the link layer protocol in the transport network layer [see Fig. 4 and col. 6, lines 47-61].

As per claim 43, Subbiah et al teach the system of claim 1, wherein the interface carries a circuit switched connection (see Fig. 1 and 5).

As per claim 44, Subbiah et al teach the system wherein the link layer protocol is Ethernet protocol [col. 7, lines 20-30 local user in a LAN user Ethernet).

As per claim 45, Subbiah et al teach the system of claim 4, wherein in the Internet Protocol a sequence number is carried in one of an IP option field and a Ipv6 extension header, the sequence number being used for rearranging incoming IP datagrams [see Fig.3 and col. 5, lines 59 to col. 6 line 31].

As per claim 46, Subbiah et al teach the system of claim 3, wherein the protocol stack of the protocol architecture further comprises, in a radio network layer, a frame handling protocol on top of the UDP Protocol (see fig. 4 and 5)
As per claim 49, Subbiah teaches the system of claim 14, wherein the RTP Protocol compresses plural RTP packets in an IP datagram [see Fig. 2 and 7; col. 5, lines 5-45].

As to claim 56, this is a method claims with similar limitations as claim 41 and 47 above. Therefore, it is rejected with the same rationale. Subbiah further teaches using UDP port number of the UDP protocol as connection identifier (see fig. 7).

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be

reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained form the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

Art Unit 2153

GLENTON B. BURGESS
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